

Practitioner's Docket No. 20335-00165

PATENT
USSN: 10/806,072REMARKS

Claims 1-15 and 17 have been withdrawn as being drawn to a non-elected Group. Claims 16 and 18-21 have been cancelled solely in an effort to reduce claim numbering and fees for additional claims. Applicants reserve the right to pursue the subject matter of cancelled and non-elected claims 16 and 18-21 in this or subsequent applications.

Claims 22-25, 30, and 37-40 have been amended solely in an effort to correct formalities, including claim format, format for Markush groups, and antecedent basis. Support for the amendments lies in the original specification and claims as filed. New claims 44-46 have been added in the amendments contained herein. Support for new claims 44-46 lies in the specification as filed, for example at page 58, lines 18-23; page 53, lines 5-6; page 44, lines 9-11 and table 9 of the specification. Support for new claims 47 and 48 lies in the specification as filed, for example at page 35, lines 14-16; page 37, lines 17-19; and page 40, lines 3-4. No new matter is added by virtue of the amendments. Entry and consideration of the amendments contained herein is requested.

Responsive to the Restriction Requirement (including a species election requirement) dated 02/12/2007, Applicants hereby elect Group II, drawn to a method of treating premature ejaculation comprising administering a composition comprising a topical anesthetic, a polymeric thickener, a lipophilic component, water and a buffer system (Claims 22-43, and New Claims 44-46).

In order to be fully responsive to the communication dated 02/12/2007, Applicants hereby elect the following species:

Topical anesthetic: dyclonine (Claim 22, 27 and 28)
[OR lidocaine OR (bupivacaine) (Claims 22, 26 and 27)?];
Polymeric thickener: a modified guar gum (Claim 22 and 29-33);
Lipophilic component: ethanol and ethyl laurate (Claims 22, and 36);
Prostaglandin: prostaglandin E₁ (Claims 23-25);
Penetration enhancer: dodecyl 2-(N,N-dimethylamino)-propionate (DDAIP) HCl (Claims 34 and 35)
[OR DDAIP?]; and
Emulsifier: sucrose stearate (Claim 39).

The species elections are made without prejudice to Applicants' right to pursue the non-elected subject matter in this or other applications in the event a generic claim is not found allowable.

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Applicants hereby reserve the right to pursue non-elected Group I (Claims 1-21) in this or subsequent divisional or continuing applications.

Entry and consideration of the amendments and remarks contained herein is respectfully requested in advance of prosecution on the merits. If at any time a telephone discussion would assist the Examiner and/or advance prosecution, please contact the undersigned.

This paper is being filed timely as it is being filed on or before the expiration of the shortened statutory period (31 days, March 15, 2007). It is believed no additional fees and/or extensions of time are required. In the event any additional extensions of time, fees and/or credits are necessary, the undersigned hereby authorizes the requisite fees to be charged and/or credited accordingly to Deposit Account No. 28534.

March 15, 2007

Respectfully submitted,

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